

Exhibit O

1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0164-16

4 INTERVIEW OF: [REDACTED]

5 DATE OF INTERVIEW: 04/28/2016

8 [TRANSCRIBER'S NOTE: Interview takes place on street and
9 traffic noises, at times, are louder than the speech.]

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11 INV. WECHTER: Today's date is April 28th, 2016; it is
12 12:02 p.m. This is OCC Investigator Wechter. This involves OCC
13 Case number 164-16. I am in the 400 block of Shotwell Street
14 with [REDACTED]. Is it [REDACTED] or [REDACTED]?

16 INV. WECHTER: And you're aware this is being recorded?

17 [REDACTED]: Yes.

18 INV. WECHTER: And you and I spoke by phone last week,
19 and I met you out here. So, you can just sort of show me some of
20 these specific locations that you were referring to during the
21 interview.

22 [REDACTED]: Okay.

23 INV. WECHTER: So, we're on the west side of Shotwell.

24 [REDACTED]: Yeah.

25 INV. WECHTER: In front of the blocked, corrugated
26 garage door of 454 Shotwell, just to the left of the entrance,
27 the 454 Shotwell. So, if you can just tell me, give me a sense
28 of where you were when you first noticed what was going on.

1 [REDACTED]: I was walking from 19th Street on Shotwell, on
2 the west side of the street towards 18th Street.

3 INV. WECHTER: Uh-huh.

4 [REDACTED]: And just walking down, and I think, from what I
5 can remember, I think I started noticing the person sitting on
6 the ground, when I was almost like in front of him. You know,
7 opposite of him on the other side.

8 INV. WECHTER: Opposite.

9 [REDACTED]: Maybe [unintelligible], that's what I remember,
10 or maybe a little, a few steps before, and then I just saw him
11 sitting on the ground. From what I remember, I think one of his
12 knees was bent, maybe both of them, I don't know. He was like
13 just sitting, his back against the wall.

14 INV. WECHTER: Uh-huh.

15 [REDACTED]: I thought I saw him say something, I mean hear
16 him say something, although I don't remember it, and then moving
17 his hands. He was moving his left hand, although I couldn't see
18 if he was holding something. If that's the case, I didn't see a
19 weapon, I didn't see anything, but it seems that he was holding
20 something in his left hand.

21 INV. WECHTER: Uh-huh.

22 [REDACTED]: And waving it, but I mean not very dramatically.

23 INV. WECHTER: Uh-huh. And where was he specifically?

24 [REDACTED]: That I can't really remember. I think he was
25 behind this car, which is parked right now. I think he was to
the, from where I am now, to the left of this parking garage
door.

28 INV. WECHTER: Okay. And you're referring to the garage

1 door that is the northern most garage door.

2 [REDACTED]: Right.

3 INV. WECHTER: In the [REDACTED] Building.

4 [REDACTED]: The first one.

5 INV. WECHTER: And it has a keypad just to the left of
6 the garage door.

7 [REDACTED]: Right.

8 INV. WECHTER: And right now, there's a yellow Mercedes
9 parked on the sidewalk, just north of the garage door. So, if we
10 walked across the street, would that give you a better sense of
11 where he might have been?

12 [REDACTED]: I think, well, I can, but it's very [inaudible].
13 I don't think I remember exactly where he was, no.

14 INV. WECHTER: Okay.

15 [REDACTED]: I just remember he was just by [unintelligible],
16 and sitting on the sidewalk.

17 INV. WECHTER: Okay.

18 [REDACTED]: Well, if he had his back [there], then maybe.
19 This is very uncomfortable, so I'm just thinking [inaudible].

20 INV. WECHTER: And you're referring to the plaster, just
21 to the left of the garage door, because you're pointing to the
22 area just to the north, where there's screened mesh covering
23 some windows, starting about 12 or 14 inches above the sidewalk
24 of the pavement.

25 [REDACTED]: Uh-huh.

26 INV. WECHTER: Okay. So, you saw him here, and you think
27 you were just about opposite him, on the west side?

28 [REDACTED]: Where the office, yeah, the [REDACTED] office.

1 INV. WECHTER: Almost to the entrance to where █ is?

2 █: I think.

3 INV. WECHTER: Okay. So, let's go back across the
4 street. So, you saw him sitting there, and when did you first
5 notice any of the police officers?

6 █: I think I heard the police officer holding the
7 gun, the black and orange gun, saying orders very loud. So, I
8 think that's what drew my attention to the officer, police
9 officer, and I think he was saying something like, "Yeah, stay
10 on the ground." I mean you can hear it in the video, but in my,
11 from what I remember from the incident, I think, I don't exactly
12 precisely remember what he was saying, but they were orders for
13 that person not to move.

14 INV. WECHTER: Uh-huh.

15 █: And remain on the ground.

16 INV. WECHTER: And do you have a sense of where that
17 officer was at the time?

18 █: It's hard to say. What I said is that I think he
19 was two cars' length away, so to his right. So, if you're on the
20 other side, to the right of the person sitting on the ground.

21 INV. WECHTER: So, that would be towards the north.

22 █: Yes, towards the north.

23 INV. WECHTER: And towards the school crossing sign and
24 the telephone pole?

25 █: Yeah. I think he was, yeah, he was across that.
26 I mean not, yeah, more or less. I think two car lengths' maybe,
27 maybe three. Yeah, it's between two and three.

28 INV. WECHTER: Can you point that out in any way?

1 [REDACTED]: That's hard.

2 INV. WECHTER: It's hard, okay.

3 [REDACTED]: Maybe after the telephone pole. Maybe in my
4 memory, I guess he was, yeah. After definitely, I mean north of
5 the telephone pole.

6 INV. WECHTER: Okay. And was that when he first started
7 talking to the man?

8 [REDACTED]: That's when I heard it, heard the order. I
9 didn't know at that time whether it was the first time.

10 INV. WECHTER: Okay. That's when you first heard the
11 order.

12 [REDACTED] Yeah.

13 INV. WECHTER: And can you describe where the officer
14 went, [as you were looking at it]?

15 [REDACTED]: I don't, that I don't remember precisely. I
16 think he took a few steps forward towards the person sitting on
17 the ground, and then I don't know. I don't remember how far he
18 went, when he walked towards the man.

19 INV. WECHTER: Okay. Let me just jot down [inaudible.]

20 [REDACTED]: And I was walking at the same time.

21 INV. WECHTER: Okay. I'm just going to get out my notes
22 from our interview.

23 [REDACTED]: Okay.

24 INV. WECHTER: So, I know that you said you remember the
25 officer with the shotgun saying to the [unintelligible], "Stay
on the ground," and that the officer came to within two car
lengths of the man; seven to ten meters, or maybe a little less,
28 about seven meters perhaps.

1 [REDACTED]: Yes, okay. That's what I said. Uh-huh.

2 INV. WECHTER: Yeah. Can you see, there to there, where
3 the officer approached to, where he was?

4 [REDACTED]: He was on the sidewalk. I don't know exactly
5 where he stood. I think he was across the street, there's like
6 some trees, the trees there. So, I didn't, I cannot say I see
7 him move towards, I mean, you can see that in the video. I saw
8 that in the video. What I remember was seeing the police officer
9 already aiming at the person. Right?

10 INV. WECHTER: Uh-huh.

11 [REDACTED]: That's what I remember, but I don't know exactly
12 where he was. My memory is that he was north of this telephone
13 pole. The precise moment when I heard him, I thought he was
14 standing still, but then I continued moving, walking north, and
15 I don't know why. I don't recall exactly whether he was walking,
16 yeah.

17 INV. WECHTER: And did you see the second police
18 officer?

19 [REDACTED]: So, I don't exactly know. I think I remember
20 someone, although I was focused on this police officer with the
21 shotgun.

22 INV. WECHTER: Uh-huh.

23 [REDACTED]: But I think I did notice another police officer,
24 although it would be hard for me to place him geographically, to
25 tell you exactly where he was.

26 INV. WECHTER: And so, where did you see the first
27 police officer move to, in relation to the man sitting against
28 the wall?

1 [REDACTED]: When?

2 INV. WECHTER: Where. Where did he move to?

3 [REDACTED]: The police officer?

4 INV. WECHTER: Yes, with the shotgun.

5 [REDACTED]: He moved towards him, but where to? I don't
6 know. I don't think I didn't pay attention to that. And at some
7 point, my view was blocked, I think, by, I think, a car was
8 maybe parked here.

9 INV. WECHTER: So, in the same...here. Just, you're
10 talking about in the space between the telephone pole and the
11 first tree to its north.

12 [REDACTED] Right. And maybe there was a car there, but I
13 remember that I couldn't have a clear view of the person.
14 (Sneezes). I'm sorry. Sitting on the ground.

15 INV. WECHTER: Uh-huh.

16 [REDACTED]: I could have a partial view of the officer, and
17 that's what I'm...

18 INV. WECHTER: And when you say you had a partial view
19 of the officer, is that because of a car parked across the
20 street, on the east side of Shotwell, or a car parked here,
21 where we're standing on the west side of Shotwell?

22 [REDACTED]: I don't exactly remember. My guess would be that
23 it was because of a car on the east side of the street, but I
24 think it was also one on my side, I mean, on the west side as
25 well.

26 INV. WECHTER: Uh-huh.

27 [REDACTED]: I don't clearly remember this.

28 INV. WECHTER: Do you recall where the officer with the

1 shotgun was when you heard him start to fire it?

2 [REDACTED]: Maybe he had moved, had stepped a little bit
3 closer to the witness, to the person on the ground. But exactly?
4 No, I couldn't say. I think he was not very close. I thought he
5 was [in back], but maybe it's still about two car's length.

6 INV. WECHTER: Still two car lengths?

7 [REDACTED]: I think so.

8 INV. WECHTER: And let me just go over the notes. I
9 forget whether you said, whether you said the man who was
10 leaning against the wall ever get up?

11 [REDACTED]: I did not, but then again, I didn't have the
12 clear view of this. I don't remember seeing him after that, I
13 mean, the person sitting on the ground, the man. And I was
14 walking, I said, I think I was mostly looking at the gun, and
15 then I was surprised that I heard shots, and I started running
16 after that, soon after. But so, I didn't see what was the man's
17 reaction.

18 INV. WECHTER: Uh-huh. The reaction of the man leaning
19 against the wall?

20 [REDACTED]: Yes. Yes, yes.

21 INV. WECHTER: Do you remember where the officers were,
22 where either officer was when you heard the shots? The shotgun
23 shots of the gunshots?

24 [REDACTED]: I don't remember the second one, and my guess is
25 that the officer who shot the bean pellets, was standing at the
26 same spot. I don't know. I don't remember specifically this, no.

27 INV. WECHTER: [Unintelligible], my notes for this. And
28 you mentioned that you started running, about ten meters, then

1 you stopped at what looks like an office with a wooden shelter
2 outside. Is that right?

3 [REDACTED]: Yeah, but it had been sticking out, because
4 [inaudible] I guess it was under construction, so [at the] other
5 office.

6 INV. WECHTER: Okay.

7 (Traffic sounds.)

8 [REDACTED]: [Inaudible], so I don't know what. They have no,
9 where the address is. Yeah, this is...

10 INV. WECHTER: Okay. So, this is very wide, in terms of...
11 just north 442 Shotwell, and it has a wide, silver rolling door.

12 [REDACTED]: It's [REDACTED].

13 INV. WECHTER: Uh, [REDACTED] Shotwell.

14 [REDACTED]: Yeah.

15 INV. WECHTER: Okay. So, was this around where you
16 stopped?

17 [REDACTED]: Yeah. Yeah, no, I stopped, I ran past it
18 actually, and I stopped maybe around here; maybe around this
19 post.

20 INV. WECHTER: Uh-huh. Okay. So, you're referring to the
21 "No Parking" sign that's located, maybe 15 to 20 feet north of
22 the entrance to 438 Shotwell.

23 [REDACTED]: Uh-huh.

24 INV. WECHTER: And at that point, did you stop and look
25 back?

26 [REDACTED]: I walked back a little bit.

27 INV. WECHTER: Okay.

28 [REDACTED]: Walked back. I don't remember. I passed this,

1 the █ address, not all the way back to where I first was when
2 I saw the man sitting on the ground. But I think maybe around
3 here, I don't know exactly where, but I peeked. I sort of was
4 able to have a view while peeking through the cars, and the body
5 was not against the wall anymore.

6 INV. WECHTER: Uh-huh.

7 █: So, it was closer to the curb.

8 INV. WECHTER: Okay.

9 █: So, I could see him a little bit.

10 INV. WECHTER: For just reference, we are just north of
11 the entrance to █ Shotwell, approximately six feet north of
12 that. And when you stopped, where on the sidewalk were you? Were
13 you closer to the wall there, or closer to the curb over here?

14 █: I don't know. Depending on...I don't know, I was,
15 maybe I moved over this in order to see the thing, the middle
16 somewhere. Or maybe, I don't know. I was just maybe trying to
17 [hide], I don't remember.

18 INV. WECHTER: Okay.

19 █: Really I don't.

20 INV. WECHTER: So, but are you certain you were between
21 the entrance to █ and the telephone pole?

22 █: I'm not exactly sure where, it's around here,
23 around █.

24 INV. WECHTER: █.

25 █: It was past █ and it was around █, yeah, or
26 this garage door anyway.

27 INV. WECHTER: And so, you say you saw the man now lying
28 on the sidewalk?

1 [REDACTED]: Yes.

2 INV. WECHTER: And where was he, [REDACTED] [REDACTED]? Can you
3 describe that?

4 [REDACTED]: Yeah. I peaked at it, so I didn't look at him
5 very long, [inaudible]. I don't know exactly where he was, I
6 couldn't tell you, but I remember I thought he was facing down,
7 [inaudible]. And there was a pool of blood around him, and he
8 was more, and as I said, he was towards the curb. So, closer to
9 the street than where he was before.

10 INV. WECHTER: Which parts of his body could you see? I
11 hate to get graphic.

12 [REDACTED]: It's...no. Because I barely, I mean, I can try to
13 give you details, but it went really quick. I mean I only peeked
14 at it, and I think I could see the head and the upper parts of
15 his body.

16 INV. WECHTER: And which way, in which direction was his
17 head facing?

18 [REDACTED]: I think his head was facing west, so towards the
19 street.

20 INV. WECHTER: Towards the street? Okay. And where was
21 it in relation to the curb?

22 [REDACTED]: Almost to the curb. You mean this. Right?

23 INV. WECHTER: Yes.

24 [REDACTED]: Okay. It was maybe touching or really close to
25 the curb. Yeah.

26 INV. WECHTER: And could you tell where it was in
27 relation to, let's say the telephone or the school crossing
28 sign?

1 [REDACTED]: No. That I can't remember. No, I think I didn't
2 pay any attention to that.

3 INV. WECHTER: Could you get a sense of how far it was
4 from where he'd originally leaning against the wall, sitting
5 against the wall?

6 [REDACTED]: That's hard to say. I think it wasn't very far.
7 I think he was within a few steps, I would think, from where he
8 was. No, yeah. I don't think he went very...I mean, I had moved,
9 of course, and then run and then came back. So maybe, I wouldn't
10 notice [inaudible] walked several meters. But I don't think, I
11 think it was within a few feet from where he was.

12 INV. WECHTER: Okay.

13 [REDACTED]: Standing before.

14 INV. WECHTER: Do you remember seeing anyone else across
15 the street, on the east side of Shotwell?

16 [REDACTED]: Apart from the officers?

17 INV. WECHTER: Yes.

18 [REDACTED]: No, I don't.

19 INV. WECHTER: Do you remember any tents over there?

20 [REDACTED]: I don't remember tents there. Were there any
21 tents there? I can't remember. I know that there were some here.

22 INV. WECHTER: You're pointing north on Shotwell, that's
23 the east side of Shotwell.

24 [REDACTED]: Yes. This I can't tell you, I don't remember.

25 INV. WECHTER: And do you remember seeing anyone to the
26 south of us, on the east side of Shotwell, by that big [REDACTED]
27 building?

28 [REDACTED]: I don't remember, no.

1 INV. WECHTER: And what about on the sidewalk here, on
2 the west side of Shotwell?

3 [REDACTED]: I don't remember people, but I didn't pass
4 anyone. I don't remember. Then when I walked back to look at the
5 scene, I don't remember people coming down. They might have
6 been, but I remember people from when I was running to take
7 cover. I remember one person walking south. So, from 18th
8 towards 19th, that I remember. And then one person standing in
9 this, it was like a wooden porch at 438. Now they have removed
10 it, but there was one person standing in that porch.

11 INV. WECHTER: Uh-huh. Okay. The person that was walking
12 south from 18th, do you remember anything about them?

13 [REDACTED]: Male.

14 INV. WECHTER: Male.

15 [REDACTED]: White, that's about it.

16 INV. WECHTER: Okay.

17 [REDACTED]: I think. Maybe blonde hair? I can't remember.

18 INV. WECHTER: Okay. Does being out here seem to refresh
19 your recollection in any other way, about any things we
20 discussed about any locations?

21 [REDACTED]: No. That's all. No. I remember, I think the
22 police officers, when I looked at the body, once the man was
23 shot, I think I remember seeing the officers standing around
24 him. So, maybe there were two or three then.

25 INV. WECHTER: And when you saw him on the ground, do
26 you remember seeing any object near him?

27 [REDACTED]: No, I don't. I don't. It didn't strike me. I
28 mean, I didn't pay attention, [that's true], but I didn't see

1 anything.

2 INV. WECHTER: Okay. Anything I haven't asked you that
3 you discussed with any of the other investigators? I want to
4 make sure I cover everything.

5 [REDACTED]: I don't think so. No, except that...so, after
6 that, I went to—I don't know if you're interested; so, what
7 happened after. So, this is what I remember from the shooting.
8 And so after that, I went actually, to my [REDACTED] [REDACTED].

9 INV. WECHTER: Uh-huh.

10 [REDACTED]: And then I came back to the crime scene, maybe
11 an hour-and-a-half after it, yeah. And then I asked to write,
12 yeah, a report. I made a written statement, which I gave to the
13 police.

14 INV. WECHTER: Okay. Just walking back here, do you
15 remember when you first looked over and saw him, whether your
16 view was blocked in any way by a car on this side of the street,
17 or whether you were looking between two cars?

18 [REDACTED]: On the west side of the street?

19 INV. WECHTER: Yeah. Remember you said you were almost
20 even with him or maybe a little bit to the south?

21 [REDACTED]: Yes, a little bit. So, I can't remember. I mean,
22 it's always very busy here, even towards the [unintelligible].
23 But I can't remember on my side, I think that a car on the other
24 side, so on the east side of the street, was probably blocking
25 my view, because I remember that I couldn't see the man anymore.

26 INV. WECHTER: Couldn't see him anymore?

27 [REDACTED]: On the ground, yeah. I mean, my view was
28 blocked. I couldn't see him. I was walking, so I saw him, and I

1 was still walking and maybe I looked at him a little bit. And
2 then, very quickly, maybe one second, almost at the same time
3 that I heard the officer saying his orders. So, and then my
4 [attitude] switched from the person on the ground to the
5 officer, and then I continued walking.

6 INV. WECHTER: And so, if I'm correct, you first noticed
7 him before you heard the officer?

8 [REDACTED]: Yes. Yes, yes, yes. But as I say, he was,
9 in my memory, it was almost at the same time. It went very
10 quick, maybe one second after, or you know, that's what I
11 [unintelligible] for the officer.

12 INV. WECHTER: And when you first noticed, looked over
13 there, did you have a clear view of him or was any part of him
14 blocked from your view?

15 [REDACTED]: No, I think I had a clear view. I had a clear
16 view, then I continued moving. But the first time that I saw
17 him...yeah, because I remember his clothing a little bit.

18 INV. WECHTER: What do you remember about his clothing?

19 [REDACTED] I remember that he had, I think, at least, he
20 had a red shirt, and I think it was even short-sleeve, I'm not
21 sure, or reddish. Pants, and he seemed to have long hair, not
22 short at least, but not extremely long. Right. That's physically
23 what I remember.

24 INV. WECHTER: Okay.

25 [REDACTED]: So, I think I had a good view of him at that
26 time, when I first just saw him.

27 INV. WECHTER: And you think you were directly across
28 the street or a little bit to the south?

1 [REDACTED]: Yes, yes.

2 INV. WECHTER: And you can't say any more specifically
3 about which part of the wall he was leaning against?

4 [REDACTED]: No.

5 INV. WECHTER: In relation to the garage door?

6 [REDACTED]: I cannot. No, I can't.

7 INV. WECHTER: Anything else that we haven't discussed
8 that [occurred] in any of the other interviews?

9 [REDACTED]: No, I think that's about it. I think that's all
10 I remember pretty much.

11 INV. WECHTER: Okay. Well, thank you, I really
12 appreciate it. This has been very helpful.

13 [REDACTED]: Okay.

14 INV. WECHTER: Okay.

15 [REDACTED]: You're welcome.

16 INV. WECHTER: We'll conclude this interview. It's now
17 12:26 p.m.

18 END OF DOCUMENT

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1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0164-16

3
4 INTERVIEW OF: [REDACTED] 2

5 DATE OF INTERVIEW: 04/28/2016

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8 [TRANSCRIBER'S NOTE: Interview takes place on street with
9 traffic noises which drown out the audio at times. In addition,
10 Pepin is re-enacting her movements, and at times, is far from
11 recorder and difficult to hear.]

12 --

13 INV. WECHTER: So, it's April 28th, 12:39 p.m. This is
14 OCC Investigator Wechter, continuing the discussion here on the
15 sidewalk with [REDACTED], in connection with OCC Case
16 Number 164-16. So, I'm just showing you some stills from the
17 video taken from the camera on the side of this building that
18 you've told me you've seen. And this is one at 0-0 point 4-0,
19 and I believe that's you in the lower right corner there.

20 [REDACTED]: Uh-huh. I'm almost across, perpendicular to the,
21 or opposite of the first tree. Right?

22 INV. WECHTER: It appears that.

23 [REDACTED]: Right, okay.

24 INV. WECHTER: So, when was that, in relation to when
25 you first...can you tell when that was, when you first saw it?

26 [REDACTED]: I think that was after the first shot, the first
27 shot of bean bag.

28 INV. WECHTER: And this is 0-0 point 3-4, and it's,

1 you've moved several feet to the north. Let's see, it looks like
2 you're between the second and the third tree there.

3 [REDACTED]: Uh-huh, uh-huh.

4 INV. WECHTER: And you're turned, and you're looking
5 over your right shoulder, and then at 0-0-4-7, you're running.
6 And this one is 0-0-4-2, and it shows you kind of opposite. It
7 looks like the front of the blue or silver SUV parked on the
8 east side of Shotwell, almost even with the front of the police
9 car.

10 [REDACTED]: I can't see what this [is actually]. Can you see
11 this?

12 INV. WECHTER: Yeah, it's a little [unintelligible]
13 here.

14 [REDACTED]: Uh. Actually, yeah, I'm over there. Yeah. So,
15 I'm past the first tree. Well, in fact, I'm pretty much at the
16 beginning of...okay, well, not quite. So, I'm around here.

17 INV. WECHTER: Uh-huh.

18 [REDACTED]: I should be in front of the...so, I'm...and there's a
19 car, no, and the car should be...so that's fine. And apparently,
20 there was no car, uh, no, it came [inaudible].

21 INV. WECHTER: You're pointing to a silver Jeep that's
22 parked just to the north of us, but in the still photo it's, I
23 think it's parked in approximately the same location, just at
24 the curb, in front of the blue square drawn on the sidewalk;
25 that's stenciled on the sidewalk. [Inaudible.]

26 [REDACTED]: Like this? This is exactly this, so it's about
27 where you are.

28 INV. WECHTER: Right. So, you would have been standing

1 right here, I think. This is in front of the "No Parking in
2 Driveway 24 Hours. Cars Will Be Towed" sign, to the left of the
3 black garage door here, just to the right, so north of the
4 entrance to [REDACTED] Shotwell.

5 [REDACTED]: [Inaudible.]

6 INV. WECHTER: And this is 0-0-4-3, and it looks like
7 you're taking about one step, and on 0-0-4-5, it looks like
8 you're taking a longer step, [inaudible] in this next frame,
9 0-0-4-5.

10 [REDACTED]: I'm starting to [unintelligible].

11 INV. WECHTER: Yes. So, I'm just going to look at
12 [unintelligible], I want to find.

13 [Unintelligible conversation.]

14 [05:00 to 05:30 Conversation among pedestrians is
15 captured.)

16 INV. WECHTER: So, looking at this and seeing where it
17 was that you first found [yourself] running, do you have a sense
18 of how long, how much time elapsed from when you first noticed
19 the man to when you...

20 [REDACTED]: Starting to run?

21 INV. WECHTER: Yes.

22 [REDACTED]: Three to four seconds.

23 INV. WECHTER: And the pace at which you were walking,
24 can you describe that?

25 [REDACTED]: I believe I was walking fast.

26 INV. WECHTER: Uh-huh.

27 [REDACTED]: More so because I was late.

28 INV. WECHTER: Uh-huh.

1 [REDACTED]: I did slow down when I heard the officer's
2 orders.

3 INV. WECHTER: Uh-huh.

4 [REDACTED]: Because I was in [unintelligible] trying to grab
5 a sense of what was going on.

6 INV. WECHTER: Uh-huh.

7 [REDACTED]: So, I never really stopped. Well, maybe I
8 stopped for like, a possible half-second, and then continued. I
9 never really waited to look.

10 INV. WECHTER: Uh-huh.

11 [REDACTED]: But, so yeah. So, my guess was that I was coming
12 into the scene, walking fast because I was late.

13 INV. WECHTER: Okay.

14 [REDACTED]: And then maybe I slowed down a little, looking,
15 wondering, and then quickly decided to run, because I thought it
16 was becoming dangerous.

17 INV. WECHTER: Uh-huh. Have you ever measured your
18 walking speed?

19 [REDACTED]: If I know my walking speed?

20 INV. WECHTER: Yes.

21 [REDACTED]: I know I walk fast.

22 INV. WECHTER: Okay. I know some people who, you know,
23 participate in some athletic events, or monitor through Fitbit
24 or things like that.

25 [REDACTED]: Uh, no, I don't monitor how fast I am walking.

26 INV. WECHTER: Okay. And how tall are you?

27 [REDACTED]: A meter and 32; 172 centimeters.

28 INV. WECHTER: Okay.

1 [REDACTED]: [Inaudible.]

2 INV. WECHTER: Okay. And do you know what the inseam of
3 your pants are? The length of your legs, or anything like that?

4 [REDACTED]: I used to, but I can't say.

5 INV. WECHTER: Okay. Okay.

6 [REDACTED]: You can measure the pace.

7 INV. WECHTER: You know, it may be possible to do some
8 type of calculation. Certainly, someone with longer legs will
9 cover sort of a longer stride than someone with shorter legs.

10 [REDACTED]: Right, right.

11 INV. WECHTER: So, it's just something.

12 [REDACTED]: Okay. Interesting.

13 INV. WECHTER: Okay. Well, I think that's [unintelligible].

15 [REDACTED]: Okay. I'm trying to remember, but that's all I
16 can remember, and you know, if you take a look at the pictures
17 also, [inaudible].

18 INV. WECHTER: Yeah. Well, they're not in the video
19 itself. They're just electric trains and...

20 [REDACTED]: Yes, yes. But they let you focus on where... Yeah,
21 so this car?

22 INV. WECHTER: You're pointing to the blue SUV that's
23 across the street from us, parked between the first and second
24 trees.

25 [REDACTED]: They couldn't block my view really, I mean I was
26 there. Maybe it was blocking the officer? Maybe the officer was
27 behind me, it would correspond, but I don't, that's what I don't
28 remember what the man did after the first shot. So, that's why I

1 said, the car was blocking my [inaudible].

2 INV. WECHTER: So, the video shows it was, I know it
3 looks like the same SUV that's parked there now is blue. The SUV
4 parked in the first and second trees. So, let me show you a
5 photograph that was taken from one of the windows here.

6 [REDACTED]: Okay.

7 INV. WECHTER: And this shows three officers on the
8 sidewalk. This is, for the record, [REDACTED] and it's
9 000004 on the [counter], and it shows a white pickup truck
10 parked that's just north of the driveway there, between the
11 driveway and the telephone pole. So, does that refresh your
12 recollection at all about what you saw, that vehicle, or whether
13 [inaudible].

14 [REDACTED]: That would explain why, in fact, I didn't have a
15 clear view. So, we don't see where the body is. That would
16 explain why, yeah, why my view was obstructed. But then, no, I
17 couldn't say what is after this. I couldn't say exactly where
18 the man [unintelligible].

19 INV. WECHTER: Was originally

20 [REDACTED]: Yeah, was originally. Correct.

21 INV. WECHTER: Okay.

22 [REDACTED]: [Inaudible.]

23 INV. WECHTER: Okay. So, you're pretty certain the first
24 [inaudible] after, next to the garage, and the [flat area] to
25 the south of it? I'm sorry, to the north of it?

26 [REDACTED]: Yes.

27 INV. WECHTER: Which is opposite the building across
28 from the [unintelligible]?

1 [REDACTED]: Pretty much. [Inaudible.]

2 INV. WECHTER: And that's where he was leaning against
3 the wall?

4 [REDACTED]: Yes, somewhere in there.

5 INV. WECHTER: So sitting, sitting against it?

6 [REDACTED]: Sitting. Sitting and leaning against it, yes.

7 INV. WECHTER: Okay. And seeing this, do you recall
8 where any [inaudible].

9 (Pauses because of roar of street traffic.)

10 INV. WECHTER: Seeing this, do you recall where any of
11 the officers were when you looked over and saw them?

12 [REDACTED]: When I came back? Or when I [inaudible].

13 INV. WECHTER: No, when you [inaudible].

14 [REDACTED]: Okay.

15 INV. WECHTER: Again, this is a part of a big
16 [enhancement].

17 [REDACTED]: Sure. No, I couldn't see the second one, but the
18 first one, the first, who had the orange and black shotgun.

19 INV. WECHTER: Uh-huh.

20 [REDACTED]: As I said, he was on the sidewalk, on the same
21 side, and as I said, maybe he was too far [unintelligible] of
22 the person sitting on the ground. Yeah, maybe between the...that's
23 kind of blurry, but maybe between the trees; so, the first tree.

24 INV. WECHTER: Uh-huh.

25 [REDACTED]: And the second one. So, you know what? Maybe
26 behind when I first saw him. [Inaudible.]

27 (Traffic is overwhelming audio.)

28 [REDACTED]: And to me, he was yeah, he was more north of me,

1 and I would say the area between the two trees, yes.

2 INV. WECHTER: The officer with the shotgun?

3 [REDACTED]: The officer with the shotgun, yes.

4 INV. WECHTER: When you first saw him?

5 [REDACTED] Yes.

6 INV. WECHTER: Okay. So, we're standing right now.

7 [REDACTED]: Diagonally.

8 INV. WECHTER: Approximately six feet north of the
9 entrance to [REDACTED] Shotwell, and roughly even with a blue stencil
10 in the sidewalk near the curb, approximately seven feet south of
11 the telephone pole. Okay. So, you think that when you first saw
12 that officer, it was between the two trees?

13 [REDACTED]: Yes, maybe closer, but I don't know exactly, but
14 the exact area, yes, between the two trees.

15 INV. WECHTER: Okay.

16 [REDACTED]: Maybe even closer to the first one, but it's
17 roughly, very rough, [inaudible].

18 INV. WECHTER: Okay. Anything else?

19 [REDACTED]: No, no.

20 INV. WECHTER: Okay.

21 [REDACTED]: That's about it.

22 INV. WECHTER: Okay. Well, again, thank you so much for
23 taking the time to talk to me. It is 12:44.

24 END OF DOCUMENT

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